

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Case No.: 3:23-cv-00629-ART-CSD

MARIO CISNEROS,

Plaintiff

v.

NEVADA DEPARTMENT OF  
CORRECTIONS,

Defendant

**Order**

Plaintiff, who was represented by counsel, filed his original civil rights complaint against the Nevada Department of Corrections (NDOC) on December 8, 2023. (ECF No. 1.) No proof of service was filed indicating NDOC was served with the summons and complaint.

Plaintiff, again through counsel, filed a first amended complaint (FAC) on March 6, 2024. (ECF No. 6.) Under Federal Rule of Civil Procedure 4(m), Plaintiff had 90 days to serve the summons and FAC on NDOC. Before that time period expired, Plaintiff's counsel moved to withdraw. (ECF No. 8.) The court held a hearing on April 23, 2024, and granted the motion to withdraw. Plaintiff was given until June 21, 2024, to retain new counsel; otherwise, he would be litigating this case pro se. He confirmed his understanding. (ECF No. 13.) To date, no notice of appearance has been filed by counsel and nothing further has been done to prosecute this action. There is no proof of service of the summons and FAC on NDOC in the record.

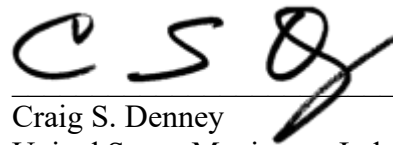
The Clerk shall **ISSUE** a summons for Plaintiff to serve along with the FAC on NDOC.

Plaintiff has until **January 15, 2025**, to file a proof of service of the summons and FAC on defendant NDOC in compliance with Rule 4 of the Federal Rules of Civil Procedure.

1 If Plaintiff fails to timely file a proof of service, this action may be dismissed without  
2 prejudice pursuant to Federal Rule of Civil Procedure 4(m).

3 **IT IS SO ORDERED.**

4 Dated: October 31, 2024

5   
6 Craig S. Denney  
United States Magistrate Judge